

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
GABINO GENAO,

Plaintiff,

-against-

CITY OF NEW YORK; Former Commissioner DORA  
B. SCHIRO; Former Chief of Department MICHAEL  
HOURIHANE; Former Deputy Commissioner  
FLORENCE L. FINKLE; Former Deputy Chief of  
Department CARMINE LABRUZZO; Former Assistant  
Chief of Security ELISEO PEREZ; Warden ROSE  
AGRO; Captain MOISES SIMANCAS, Shield #428;  
Correction Officer APRIL JACKSON, Shield #10348;  
and Correction Officer TYRONE WINT, Shield #48467,

Defendants.

ANALISA TORRES, District Judge:

USDC SDNY  
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ELECTRONICALLY FILED  
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DATE FILED: 6/21/17

14 Civ. 8122 (AT) (JLC)

**ORDER**


The Court having been advised that all claims asserted herein have been settled in principle, it is ORDERED that the above-entitled action be and is hereby dismissed and discontinued without costs, and without prejudice to the right to reopen the action within sixty days of the date of this Order if the settlement is not consummated.

Any application to reopen must be filed within sixty days of this Order; any application to reopen filed thereafter may be denied solely on that basis. Further, if the parties wish for the Court to retain jurisdiction for the purposes of enforcing any settlement agreement, they must submit the settlement agreement to the Court within the same sixty-day period to be so-ordered by the Court. Per Rule IV(C) of the Court's Individual Practices in Civil Cases, the Court will not retain jurisdiction to enforce a settlement agreement unless it is made part of the public record.

Any pending motions are moot. All conferences are vacated. The Clerk of Court is directed to close the case.

SO ORDERED.

Dated: June 21, 2017  
New York, New York

  
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ANALISA TORRES  
United States District Judge